

# **Exhibit A**

1 UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF MISSOURI  
3 EASTERN DIVISION

4 GEORGE MOORE and VIRGINIA )  
CARTER, et al., on behalf of)  
5 themselves and all others )  
similarly situated, )

6 )  
Plaintiffs, )

7 VS. )

Cause No.

8 ) 4:18-cv-01962-SEP

COMPASS GROUP USA, INC., )

9 d/b/a CANTEEN, )

10 Defendant. )

11 VOLUME I

12 VIDEOTAPED VIDEOCONFERENCE (30)(b)(6) DEPOSITION OF

13 DAVID GOLDRING

14 TAKEN REMOTELY ON BEHALF OF THE PLAINTIFFS

15 IN OKLAHOMA CITY, OKLAHOMA

16 ON JUNE 9, 2021

17  
18 REPORTED BY: DAVID BUCK, CSR  
19  
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21  
22  
23  
24  
25

1 A. Yes.

2 Q. And if at any point -- I'm sorry?

3 A. I said yes.

4 Q. I'm sorry.

5 If at any point in time, sir, we get to a  
6 topic or a matter that you don't believe you're  
7 qualified to respond to, will you please let me know?

8 A. Yes.

9 Q. Now, I'd like to before I get into these  
10 specific topics understand a little bit more about  
11 Compass Group. Compass Group USA, Inc. is your  
12 employer. Is that right?

13 A. Correct.

14 Q. There -- the -- well, first of all, there is a  
15 division I suppose of Compass Group called Canteen.  
16 Is that right?

17 A. That's correct.

18 Q. And without getting into specifics, does  
19 Compass Group have other divisions other than Canteen  
20 or other businesses that it's engaged in, for  
21 instance?

22 A. Yes, it does.

23 Q. And you I think told me, you are the CFO only  
24 of the Canteen division. Is that right?

25 A. That's correct.

1 Q. And other than being in the business of, and I  
2 don't want to word this improperly, maybe you could  
3 even correct me, the business of vending machines if  
4 you will, does Canteen have any other products or  
5 businesses that it's engaged in?

6 A. We service vending machines, micro markets,  
7 dining centers and commissaries.

8 Q. With respect to the response that you just  
9 gave me, for instance, micro markets, dining centers  
10 and commissaries, is that in the context of vending  
11 machines or something else?

12 A. That's something different.

13 Q. I see.

14 So, the vending machine business of Canteen is  
15 only one part of what Canteen does for it's business.  
16 Is that right?

17 A. That's correct.

18 Q. Does -- well, for -- for ease of reference  
19 today then I might -- well, I'm going to attempt to  
20 refer to instead of saying Compass Group I'm going to  
21 say Canteen I think to be more specific, but to the  
22 extent I mess up and say Compass Group I mean to refer  
23 today only to the Canteen portion of Compass Group.  
24 Do you understand that?

25 A. Yes, I do.

1 A. Yes.

2 Q. So, if -- and I'm -- this is just a complete  
3 hypothetical. If there is a Canteen machine  
4 downstairs in the building that I'm at right now, it  
5 would be a Canteen employee that actually comes out  
6 and services that machine. Is that accurate?

7 A. Yes, that's correct.

8 Q. Now, I -- in reviewing the material that was  
9 produced to us at least as of 2019 it appeared that  
10 there were 33 different states in which Canteen had  
11 vending machines. Is that accurate?

12 A. Yes, I believe that's correct. We are not in  
13 every -- we are not in all the 50 states.

14 Q. Just so that I don't have to circle back to  
15 this, I saw -- well, does Canteen have any insurance  
16 that can cov -- that may cover any or all of the  
17 allegations in the complaint in this matter?

18 A. I would not be the person to answer that  
19 question as it's -- our insurance is handled in this  
20 case by our offices out of the United Kingdom.

21 MR. PARTAIN: Joe, are we going to have a  
22 different witness to testify as to Topic Number 3?

23 MR. WYLIE: If we -- if we need it. I think that  
24 may be something that we can resolve informally  
25 without formal testimony and we did provide some

1 K & L Gates in 2018 or 2019 to provide Canteen with  
2 the requirements on a state by state basis for the  
3 vending machine labeling?

4 MR. WYLIE: And I'll object, attorney/client  
5 privilege and instruct the witness not to answer.

6 Q. (By Mr. Partain) I guess what I'm trying to  
7 get at, sir, is -- well, strike that.

8 Before this attorney review project in 2018 or  
9 2019 that you described to me, had Canteen made any  
10 effort to determine whether the labeling on its  
11 vending machines complied with the law?

12 A. Well, generally our instructions to the field  
13 was that any machine that had a cashless reader on it  
14 and that was going to be charging the two tier rates  
15 had to have specific labeling on it in order that the  
16 consumer would understand that there was a  
17 differential in pricing.

18 Q. Sir, I asked a completely different question  
19 than that. So let me ask it again.

20 Prior to this review in 2018 or 2019 had  
21 Canteen made any effort to ensure that the labeling on  
22 its vending machines complied with the law?

23 A. Not during the seven years that I've been in  
24 this position do I know if that had been done. Prior  
25 to that, I have no knowledge.

1           You knew prior to January 10th of 2018 that  
2           there were reports of two tier machines that weren't  
3           labeled as such.   Is that right?

4           A.   We did have sporadic calls that came in to our  
5           call lines such as this one.

6                   (Plaintiff's Exhibit Number 4 marked for  
7                   identification purposes and made part of the  
8                   record.)

9           Q. (By Mr. Partain) I'm going to show you a  
10          document I've premarked as Exhibit 4 to the  
11          deposition, sir. It is a sort of continuation of the  
12          same e-mails here. We're going to go down to the last  
13          e-mail from Ann Sheridan to you to John Fowler and to  
14          Bruce Battle with a cc to Brian Keeney.

15                   Do you see this?

16          A.   Yes, I do.

17          Q.   And Ms. Sheridan says, hi all. And again,  
18          it's dated January 10th, 2018, the same date as the --  
19          as Exhibit 3 that we just looked at. Ms. Sheridan  
20          says, hi all, I reached out to Brian Keeney from  
21          Phoenixville who is having the CSMs check out the  
22          machines at Hahnemann Hospital today.

23                   What does CSMs stand for, sir?

24          A.   Customer service manager.

25          Q.   And these are folks, I assume regional folks

1 management team that Brian Keeney is a part of. So  
2 it's not the broader group, it's specifically the  
3 branch operation that would be servicing the account  
4 that was in question.

5 Q. He then writes, in addition, that plan should  
6 be completed by close of business Friday, January 12,  
7 2018, along with timeline to ensure that our  
8 organization does not have additional exposure.  
9 Regards, Bruce.

10 Do you see that?

11 A. I do.

12 Q. Now, at this time as of January 10th, 2018 we  
13 see that Mr. Battle's referring to a plan to ensure  
14 signage on all assets within that particular  
15 geographic region. Do you see that?

16 A. Yes.

17 Q. Did you as the CFO of Canteen believe, believe  
18 that Canteen needed a broader plan amongst the entire  
19 company to do the same, to ensure that there was  
20 signage on all assets that have two tier implications?

21 A. I did not because he responded to the call  
22 that had come in in exactly the way that we would have  
23 expected him to and his team.

24 Q. And -- and I don't mean to jump the gun, sir,  
25 but you know we're going to look at the actual data



1 after the survey was done. There was something like  
2 67 or 68,000 Canteen machines that Canteen identified  
3 did not have labeling on them. Looking back -- and  
4 this was, what, 2020 when that survey was completed  
5 finally. Right?

6 A. Yes.

7 Q. And again, looking back at this e-mail on  
8 January 10th, 2018, you know, can we say that this is  
9 somewhat of a canary in the coal mine or should it  
10 have been an alert or a warning to you? I mean, is  
11 this --

12 MR. WYLIE: Objection to form.

13 Q. (By Mr. Partain) Let me withdraw it. it was a  
14 bad question, sir.

15 Why didn't you on -- as of January 10th, 2018  
16 look at this isolated incident and think that it might  
17 have broader implications across all the Canteen  
18 assets?

19 A. Well, for a couple of reasons. One is we do  
20 millions and millions of transactions a day. This is  
21 one. Number two is he responded in exactly the way  
22 that would have been expected. He saw that there was  
23 an issue, he formulated a plan and they took care of  
24 it. So, again, in the broader context of all the  
25 transactions going on with Canteen, I -- I believe

1 that it was not a problem and that when we had  
2 isolated incidents like this that they were taken care  
3 of and therefore, again, in the broader context  
4 that -- that we were okay.

5 Q. Okay.

6 (Plaintiff's Exhibit Number 5 marked for  
7 identification purposes and made part of the  
8 record.)

9 Q. (By Mr. Partain) Sir, I'm showing you an  
10 e-mail I've marked as Exhibit 5. Scroll down here.  
11 It's a series of e-mails I should say. The first one  
12 is from a gentleman named William Man -- Mandile from  
13 championvending.com to Brian Dunn at USA Tech dated  
14 January 12th, 2018. And I meant to ask you this, sir,  
15 but USA Tech is one of the vendors that Canteen uses  
16 to supply both the hardware and the infrastructure for  
17 the credit card processing on the vending machines.  
18 Is that right?

19 A. Yes, that is correct.

20 Q. And, in fact, USA Technologies provides not  
21 just the hardware and the software but the actual --  
22 they actually process the credit card transactions for  
23 Canteen on a machine by machine basis. Is that right?

24 A. Yes. They are the gateway through which the  
25 data is transferred to the and processed by the banks.

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C E R T I F I C A T E

STATE OF OKLAHOMA )  
 ) SS:  
COUNTY OF OKLAHOMA )

I, David Buck, Certified Shorthand Reporter within and for the State of Oklahoma, do hereby certify that DAVID GOLDRING was by me first duly sworn to testify the truth, the whole truth and nothing but the truth, in the case aforesaid; that the above and foregoing deposition was taken in shorthand and thereafter transcribed; that the same was taken on June 9th, 2021, in Oklahoma City, Oklahoma; that I am not an attorney for nor a relative of any said parties, or otherwise interested in said action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 15th day of June, 2021.



David Buck, CSR #1585